

DOCKET NO. 20050826 LIA/106 YA

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
STEVEN T. FINK : EXAMINER: ZERVIGON, RUDY  
SERIAL NO: 10/808,388 :  
FILED: MARCH 25, 2004 : GROUP ART UNIT: 1763  
FOR: HYBRID BALL-LOCK :  
ATTACHMENT APPARATUS :

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the election requirement dated August 24, 2005, Applicant provisionally elects with traverse Group I, Claims 1-12, drawn to a plasma processing device, for further examination on the merits. Applicant reserves the right to file one or more divisional applications directed to the non-elected invention.

Furthermore, while the Election Requirement asserts that the application contains claims to patentably distinct inventions, MPEP § 803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Although the outstanding Official Action identifies different search classifications, it is believed that the claims of the present application would have to be searched in a handful of sub-classes. Furthermore, since electronic searching is commonly performed, a search may be made of a large number of, or theoretically all, subclasses without substantial additional

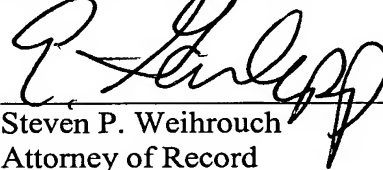
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Reply to Office Action of August 24, 2005

effort. Accordingly, Applicant respectfully traverses the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner, whereas it would be a serious burden on Applicants to prosecute and maintain separate applications.

Therefore, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-18 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NELSTADT, P.C.



Steven P. Weihrouch  
Attorney of Record  
Registration No. 32,829

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Edwin D. Garlepp  
Registration No. 45,330